

32851/US  
461681-4  
0378/04

*quid*  
*DAE*

**CERTIFICATE OF MAIL (37 CFR 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 6, 2006.

Signed:

*Laura Lee Mosier*  
Laura Lee Mosier

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Evgeny NIKIFOROV *et al.*

Serial No. 10/083,491

Filed: February 27, 2002

For: Wireless Duplex Optical Communication  
System

Examiner: BELLO, Agistom

Group Art Unit: 2633

Date: January 6, 2006

**PETITION FOR REVIVAL OF AN APPLICATION**  
**ABANDONED UNINTENTIONALLY UNDER 37 CFR § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The referenced patent application become abandoned due to Applicant's failure to timely file a proper reply to the Office Action mailed on March 9, 2005.

The entire delay in filing the required response from the due date for the response until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional. Accordingly, Applicant hereby petition for revival of the above-identified application for patent due to the unintentional abandonment of the application under 37 CFR § 1.137(b).

Our check in the amount of \$750 is enclosed to pay the fee for filing a petition to revive unintentionally abandoned application (\$750.00 - Small Entity - 37 CFR §1.17(m)).

01/10/2006 HGUTEMA1 00000022 10083491


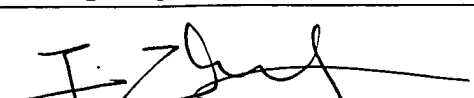
01 FC:2453 750.00 0P

Respectfully submitted,

DORSEY & WHITNEY LLP

*J. Zheng*  
Jamie J. Zheng, Reg. No. 51,167

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4836-8476-3392\1

<div style="text-align: left;">  </div> <div style="text-align: right;"> <b>TRANSMITTAL SHEET</b>  <b>(FY 2005)</b> </div>		Complete if Known																																																																																																																																		
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<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Deposit Account No.: Deposit Account Name: <b>DORSEY &amp; WHITNEY LLP</b> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input type="checkbox"/> Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Other (please identify):		3. ADDITIONAL FEES																																																																																																																																		
<div style="text-align: center;">Extra Claim Fees</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Current Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total 18</td> <td>- 20</td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td>Ind. 2</td> <td>- 3</td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total (Extra Claims)</td> <td></td> <td><b>\$0</b></td> </tr> </tbody> </table>		Current Claims	Prior	Extra	Fee	Fee Paid	Total 18	- 20	=	x \$	= \$	Ind. 2	- 3	=	x \$	= \$	Multiple Dependent Claims			x \$	= \$	Total (Extra Claims)				<b>\$0</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>65</td><td>Surcharge - Late nonprovisional filing fee or oath</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of IDS</td><td></td></tr> <tr><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>120</td><td>60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1,020</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1,590</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2,160</td><td>1,080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>790</td><td>395</td><td>Submission After Final 1.129</td><td></td></tr> <tr><td>500</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>500</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1,000</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>65</td><td>Terminal Disclaimer Fee</td><td></td></tr> <tr><td>800</td><td>400</td><td>Design Issue Fee</td><td></td></tr> <tr><td>790</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>130</td><td></td><td>Request for voluntary publication or republication</td><td></td></tr> <tr><td>500</td><td>250</td><td>Petition to Revive - unavoidable</td><td></td></tr> <tr><td>1,500</td><td>750</td><td>Petition to Revive - unintentional</td><td>750</td></tr> <tr><td>200</td><td></td><td>Filing for patent term adjustment</td><td></td></tr> <tr><td>400</td><td></td><td>Request for reinstatement of term reduced</td><td></td></tr> <tr><td>1,120</td><td></td><td>Extension of term of patent</td><td></td></tr> <tr><td colspan="3">OTHER FEE (specify)</td><td></td></tr> <tr><td colspan="3" style="text-align: right;">Subtotal (Additional Fees)</td><td></td></tr> <tr><td colspan="3" style="text-align: right;">Total Amount of Payment:</td><td><b>\$750</b></td></tr> </tbody> </table>		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge - Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1,020	510	Extension for reply within third month		1,590	795	Extension for reply within fourth month		2,160	1,080	Extension for reply within fifth month		790	395	Submission After Final 1.129		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		130	65	Terminal Disclaimer Fee		800	400	Design Issue Fee		790	395	Request for Continued Examination (RCE)		130		Request for voluntary publication or republication		500	250	Petition to Revive - unavoidable		1,500	750	Petition to Revive - unintentional	750	200		Filing for patent term adjustment		400		Request for reinstatement of term reduced		1,120		Extension of term of patent		OTHER FEE (specify)				Subtotal (Additional Fees)				Total Amount of Payment:			<b>\$750</b>
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<div style="text-align: center;">Petition Fee Under 37 CFR 1.17(f), (g), &amp; (h)</div> Enclosed is a Petition filed under 37 CFR as indicated below: <input type="checkbox"/> Petition Fee under 37 CFR 1.17(f) <b>Fee \$400</b> § 1.53(e) to accord a filing date. § 1.57(a) to accord a filing date. § 1.182 for decision on a question not provided for. § 1.183 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent. § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(g) <b>Fee \$200</b> § 1.12 for access to an assignment record. § 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the inventor. § 1.59 for expungement of information. § 1.103(a) to suspend action in an application. § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail. § 1.295 for review of refusal to publish a statutory invention registration. § 1.296 to withdraw a req. for pub. after notice of intent to publish issued. § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent. § 1.550(c) for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 1.956 for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 5.12 for expedited handling of foreign filing license. § 5.15 for changing the scope of a license. § 1.5.25 for retroactive license. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(h) <b>Fee \$130</b> § 1.19(g) to request documents in a form other than provided in this part. § 1.84 for accepting color drawings or photographs. § 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication. § 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.																																																																																																																																				
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CUSTOMER NUMBER <b>32940</b>		<b>DORSEY &amp; WHITNEY LLP</b> <b>555 California Street, Suite 1000</b> <b>San Francisco, CA 94104-1513</b>																																																																																																																																		
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